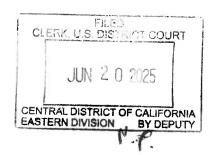
Kevin: Realworldfare (formerly Kevin: Walker) C/o 30650 Rancho California Road #406-251 2 Temecula, California [92591] 3 non-domestic without the United States

Email: team@walkernovagroup.com

Plaintiff, Real Party In Interest, Secured Party, Injured Party



UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA

Kevin: Walker,

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Plaintiff/Real Party In Interest,

Chad Bianco, Steven Arthur Sherman, Gregory D Eastwood, Robert C V Bowman, George Reves, William Pratt, Robert Gell, Nicholas Gruwell, Joseph Sinz, Michael Hestrin, Miranda Thomson, RIVERSIDE COUNTY SHERIFF, THE PEOPLE OF THE STATE OF CALIFORNIA, SOUTHWEST JUSTICE **CENTER, FERGUSON PRAET &** SHERMAN A PROFESSIONAL **CORPORATION**, Does 1-100 Inclusive

Defendant(s).

Case No.: 5:25-cv-00646-WLH-MAA

RENEWED <u>VERIFIED</u> MOTION AND DEMAND TO VACATE PRIOR DENIAL OF INJUNCTIVE RELIEF UNDER FEDERAL RULE OF CIVIL PROCEDURE 60(B)(1) AND (B)(6), WITH NOTICE OF RETALIATION, CONSTITUTIONAL VIOLATIONS. AND MANIFEST INJUSTICE

(SPECIAL LIMITED APPEARANCE - IN **EQUITY ONLY — EQUITY JURISDICTION** PRESERVED)

TO THE COURT, ALL PARTIES, AND CLERK OF THE COURT:

This matter is brought in equity, under the original and exclusive jurisdiction of this

Court as authorized by the Constitution of the United States, Article III, Section 2.

All statutory jurisdiction is expressly denied and rebutted. This is a Court of

Record. All rights are reserved without prejudice pursuant to UCC 1-308. 25

COMES NOW, Plaintiff, secured party, Real Party Interest, and injured party

Kevin: Realworldfare (formerly Kevin: Walker), a living man, proceeding sui

juris, in propria persona, not pro se, by Special Limited Appearance only, not

Page 1 of 29

BENEWED AND DEMAND TO VACATE PRICE DEMAN OF RUUNTIVE RELEF CIDER FEDERAL RULE OF CIVIL PROCEDURE ORDER AND GROWN AND CHARLEST OF REPAIL LATION C

appearing as surety for any legal fiction, not a corporation, and not a U.S. citizen under the 14th Amendment, but a private American national and State Citizen by birthright, standing solely upon his unalienable rights, secured by the Constitution and the common law. Plaintiff hereby submits this RENEWED VERIFIED MOTION AND DEMAND TO VACATE PRIOR DENIAL OF INJUNCTIVE RELIEF UNDER FRCP 60(b)(1) AND (b)(6), WITH NOTICE OF RETALIATION, CONSTITUTIONAL VIOLATIONS, AND MANIFEST INJUSTICE, brought pursuant to Federal Rules of Civil Procedure 59(e), 60(b)(1), and 60(b)(6) and with clarification of Local Rule 7-18. This renewed motion and demand arises in response to the June 17, 2025 Minute Order, which erroneously denied Plaintiff's original Verified Motion for Reconsideration on procedural grounds—without addressing a single material fact, without engaging with unrebutted affidavits under penalty of perjury, and without lawful jurisdiction to override equity or dispose of perfected rights by clerical fiat. Such omission constitutes not mere oversight but a constructive denial of access to justice, a refusal to adjudicate verified record, and a manifest breach of the Court's constitutional duty under Article III. I. CLARIFICATION OF CONTROLLING LEGAL FRAMEWORK

A. Federal Rule of Civil Procedure 60(b) Governs

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This Renewed Motion and Demand is properly brought under Federal Rule of Civil Procedure 60(b)(1) and 60(b)(6), which together provide a broad, equitable basis for relief from a prior order when justice so demands:

- FRCP 60(b)(1) permits relief based on mistake, inadvertence, surprise, or
 excusable neglect, including failure to account for subsequent legal or factual
 developments;
- FRCP 60(b)(6) authorizes relief for "any other reason that justifies relief," including manifest injustice, procedural fraud, retaliation, denial of due process, or newly arising harm.

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L.R. 7-18 is procedural and discretionary—not jurisdictional. It does not bar a
properly supported motion for relief from order under Rule 60(b), especially

"A local rule cannot override a federal rule of civil procedure."

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June 18, 2025

where the record reveals **new evidence**, **manifest injustice**, **or constitutional violations**.

Therefore, this Court retains **broad discretion** under Rule 60(b) to vacate or reconsider a prior order that was improvidently entered, incomplete, or tainted by procedural irregularity or fraud, regardless of local timing limitations.

II. GOOD CAUSE FOR DELAY IN FILING

A. Continuous Irreparable Harm and Retaliation for Asserting Constitutionally Secured Rights

Plaintiff has endured ongoing and compounding harm, including unlawful detention, interference with private property, chilling of First Amendment-protected activity, and deliberate obstruction of access to lawful remedy. These acts—taken under color of law—constitute direct and unlawful retaliation for Plaintiff's exercise of constitutionally and commercially secured rights and constitute irrefutable good cause for any procedural delay in filing the renewed motion.

On or about May 14, 2025, a retaliatory federal proceeding was initiated under Case No. 5:25-cv-01305, captioned *The People of the State of California v. Kevin Lewis Walker*, before Judge Wesley L. Hsu. The action was brought in clear reprisal for Plaintiff's/injured party's lawful pursuit of claims and equitable redress in the instant matter and elsewhere. That proceeding was administratively constructed, lacking a verified complaint, lawful jurisdiction, or injured party. It falsely named the ens legis fiction "KEVIN LEWIS WALKER", a commercial entity which Plaintiff has explicitly rebutted and lawfully disclaimed under oath and public filing.

- This retaliatory action was triggered directly by Plaintiff's:
 - Assertion of his constitutionally secured right to travel unencumbered by statutory presumption or adhesion contracts;
 - Filing of lawful commercial instruments and UCC security agreements
 against public actors, including Michael Hestrin (Riverside County District
 Attorney), the Riverside County Sheriff, and other known co-defendants;

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1	Submissions of verified affidavits, notices of liability, and commercial	
2	tenders, supported by unrebutted public record, lawful tender, and	
3	administrative exhaustion.	
4	Such conduct constitutes classic retaliation under the Civil Rights Act. As the	
5	Supreme Court held in <i>Hartman v. Moore,</i> 547 U.S. 250, 256 (2006):	
6	"Official reprisal for protected speech 'offends the Constitution [because] it	
7	threatens to inhibit exercise of the protected right."	
8	"[E]ven an act taken in apparent good faith is unlawful if it was in retaliation for	
9	the exercise of a constitutionally protected right."	
10	Likewise, in <i>Mt. Healthy City Bd. of Educ. v. Doyle</i> , 429 U.S. 274, 283–84 (1977), the	
11	Court recognized:	
12	"The government may not punish an individual for exercising a protected	
13	constitutional right, and when such retaliation occurs, it gives rise to an	
14	actionable injury."	
15	Further, in Gibson v. United States, 781 F.2d 1334, 1338 (9th Cir. 1986), the Ninth	
16	Circuit emphasized:	
17	"Where retaliation is alleged, especially under color of state law, the courts must	
18	remain vigilant in preventing abuse of official authority."	
19	The retaliatory proceeding , by its structure and timing, was an attempt to:	
20	1. Fraudulently convert the private capacity of the Plaintiff into a public	
21	fiction, creating false presumptions of jurisdiction;	
22	2. Sabotage pending equity proceedings by diverting judicial attention and	
23	overburdening Plaintiff with unnecessary statutory process;	
24	3. Intimidate and suppress further pursuit of lawful claims, violating both	
25	due process and equal protection.	
26	This type of retaliation, when imposed through simulated legal process,	
27	constitutes not only a violation of 42 U.S.C. § 1983 (deprivation of rights	
28	under color of law), but also qualifies as a conspiracy to interfere with civil	
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1	rights under 42 U.S.C. § 1985(3) and neglect to prevent under 42 U.S.C. §		
2	1986.		
3	Retaliation targeting equity claimants and private Americans asserting lawful		
4	status is particularly egregious because the harm is not merely speculative—it is		
5	ongoing, structural, and weaponized through unlawful process.		
6	Moreover, irreparable harm is presumed in cases involving constitutional		
7	deprivations. See:		
8	• Elrod v. Burns, 427 U.S. 347, 373 (1976):		
9	"The loss of First Amendment freedoms, for even minimal periods of time,		
10	unquestionably constitutes irreparable injury."		
11	Melendres v. Arpaio, 695 F.3d 990, 1002 (9th Cir. 2012):		
12	"[W]hen constitutional rights are violated, no further showing of irreparable		
13	harm is necessary."		
14	• Mitchell v. Cuomo, 748 F.2d 804, 806 (2d Cir. 1984):		
15	"A showing of probable success on the merits and a strong showing of		
16	irreparable injury can justify equitable relief."		
17	Accordingly, the combination of:		
18	Retaliatory litigation under color of law,		
19	The targeting of a known ens legis to simulate jurisdiction, and		
20	The deliberate obstruction of equity proceedings,		
21	unequivocally satisfies good cause under Federal Rules of Civil Procedure 60(b)		
22	(1) (excusable neglect), 60(b)(3) (fraud, misrepresentation, or misconduct), and		
23	60(b)(6) (any other reason justifying relief).		
24	This Court is duty-bound to protect its own integrity, prevent retaliatory abuse, and		
25	intervene immediately to halt irreparable harm and preserve equity jurisdiction.		
26	III. FACTUAL SUMMARY OF DUE DILIGENCE		
27	Plaintiff has concurrently filed:		
28	<u>Verified</u> Affidavits and Conditional Acceptances,		

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proper capacity, and lawful status.

June 18, 2025

UCC Financing Statements and Commercial Security Agreements, Form 1099-A, 1099-C, and other Treasury-related notices for lawful discharge, Motions supported by over One Hundred and Fifty (150) pages of unrebutted 4 exhibits, 5 Registered mail proofs and Form 3811s documenting all parties were notified 6 in compliance with FRCP 65. 7 This due diligence, conducted while defending against retaliatory actions, 8 constitutes excusable neglect, and affirmative good cause. 9 IV. JUDICIAL ERROR AND PREJUDICE MUST BE CORRECTED 10 The Court's prior order [Dkt. 13]: Mischaracterized Plaintiff's filing as invoking "sovereign citizen" theory; 12 Cited *United States v. Benabe*, a wholly inapposite criminal case; 13 Ignored unrebutted commercial instruments, tender of negotiable 14 instruments, and verified administrative findings of dishonor; 15 Failed to address material facts or invoke equity jurisdiction under Article 16 III, § 2. 17 The record must be corrected. A refusal to do so constitutes fraud on the court and 18 denial of due process, correctable under FRCP 60(b)(3), (6), and (d)(3). 19 V. CLEAR ERRORS, MISREPRESENTATIONS, AND CONTINUING HARM 20 The Court erroneously and prejudicially characterized Plaintiff's Verified 21 Complaint as invoking "sovereign citizen" concepts, thereby dismissing the claims 22 as legally frivolous. 23 This is factually false and legally unsustainable. Plaintiff has never identified as, 24 nor relied upon, any "sovereign citizen" ideology. Such labeling is defamatory, 25 prejudicial, and unsupported by the record. Plaintiff has consistently invoked 26

established and actionable federal law and has operated under verified affidavit,

- The Verified Complaint is grounded in **federal statutes that explicitly confer a private right of action**, enabling individuals such as Plaintiff to seek redress for violations of constitutional and statutory rights. These statutes are not advisory or symbolic they are **binding federal law** providing enforceable civil remedies against both state and federal actors operating under color of law:
 - 42 U.S.C. § 1983 This statute is the cornerstone of civil rights litigation. It
 provides a direct private right of action for any individual whose
 constitutional or federally protected rights have been violated by a person
 acting "under color of state law." Courts have long recognized this statute as
 enforceable by private citizens to seek injunctive relief, compensatory, and
 punitive damages.
 - 42 U.S.C. § 1985(3) This statute provides a private cause of action for
 conspiracies to deprive a person or class of persons of the equal protection of
 the laws or equal privileges and immunities under the law. It is specifically
 designed to reach private and state actors who conspire to violate civil rights,
 and is routinely litigated in federal court by individuals alleging
 discriminatory or retaliatory acts.
 - 42 U.S.C. § 1986 A companion statute to § 1985, § 1986 imposes civil liability on any person who, knowing that a § 1985 conspiracy is occurring, fails to act to prevent it. This statute reinforces the duty of public officials and actors to uphold constitutional rights and creates a personal liability claim when they fail to do so.
 - predicate acts and evidentiary support for civil claims under § 1983 and RICO. Courts have acknowledged that violations of these statutes may form the factual basis for private civil suits, especially when they involve color-of-law abuse, conspiracy, and pattern or practice of rights deprivation.
 - 28 U.S.C. §§ 1343 and 1443 These provisions establish jurisdictional authority for private individuals to bring claims involving civil rights

deprivations. Section 1343 gives district courts jurisdiction over **civil actions for deprivation of rights**, while § 1443 provides a removal mechanism to federal court when state courts cannot or will not protect federally secured rights.

• U.S. Constitution – Amendments IV, V, and XIV – These constitutional provisions form the substantive basis for claims under § 1983. They protect against unreasonable searches and seizures, deprivation of life, liberty, or property without due process, and unequal treatment under the law — all of which are actionable by private citizens when violated by state actors.

In sum, each statute and constitutional provision invoked by Plaintiff is well-established as providing a valid and enforceable private right of action. The assertion that these claims are legally insufficient or frivolous — particularly when supported by unrebutted affidavits and evidence — reflects a failure to apply controlling legal standards and a prejudicial misunderstanding of the legal framework governing civil rights litigation.

The Court further failed to address the record of repeated unlawful arrests, ongoing harassment, property deprivation, and imminent threats—all supported by <u>multiple</u> verified affidavits and <u>unrebutted</u> evidence. These events demonstrate real, continuous, and irreparable harm warranting injunctive relief under Winter v. NRDC, 555 U.S. 7 (2008).

VI. SATISFACTION OF ALL WINTER FACTORS FOR INJUNCTIVE RELIEF

1. Likelihood of Success on the Merits

Plaintiff has brought forward **well-pleaded and substantiated claims** under clearly established federal law, including 42 U.S.C. §§1983, 1985(3), and 1986, which courts have consistently recognized as conferring a **private right of action**. Plaintiff has asserted violations of constitutionally protected rights—including liberty, due process, property interests, and equal protection—by

State actors operating under color of law without lawful jurisdiction, bond, or valid authority. 2 Each statutory claim is reinforced by verified affidavits, administrative 3 records, unrebutted notices, and public documentation, all of which stand unchallenged on the record. No opposing party has submitted a rebuttal 5 affidavit, countervailing evidence, or lawful authority disproving Plaintiff's standing, status, or the factual basis of the claims asserted. This constitutes 7 8 tacit acquiescence and default in commerce, further strengthening Plaintiff's legal position. 9 In total, the Plaintiff's filings reflect strong legal theory, credible evidentiary **foundation**, and **uncontested factual record**—all of which satisfy the "likelihood of 11 success" element under Winter v. NRDC, 555 U.S. 7 (2008). 2. Irreparable Harm The harm suffered by Plaintiff is not speculative, hypothetical, or remote—it is real, 14 active, and ongoing. The record reflects: 15 16 Repeated unlawful detainment without valid warrants; Unlawful seizure of private property, including a secured estate vehicle; 17 Harassment, intimidation, and coercive behavior by government actors; 18 19 And the ongoing threat of further retaliation for asserting legal rights. Such violations impact liberty, bodily integrity, property, and peace of mind. These 20 injuries are inherently irreparable because they implicate constitutional 21 protections, and cannot be undone or remedied through post hoc monetary awards. Federal courts have long held that deprivations of constitutional rights— 23 24 even for minimal periods – constitute per se irreparable harm. See Elrod v. Burns, 25 427 U.S. 347, 373 (1976). 3. Balance of Equities 26 The equitable balance tips heavily in Plaintiff's favor. Plaintiff is not asking the 27

Court to issue affirmative commands or impose hardship on any party. Rather,

Plaintiff seeks only a **narrow**, **lawful injunction** to restrain further unlawful actions and require adherence to **constitutional boundaries**.

The Defendants will suffer no lawful burden from being **ordered to cease unlawful activity**, respect jurisdictional limits, and honor due process. In contrast, if relief is denied, Plaintiff remains exposed to **ongoing threats**, **unlawful detention**, **property deprivation**, **and retaliation** for protected legal actions. The equities are not merely balanced – they are **lopsided in Plaintiff's favor**.

4. Public Interest

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There is no greater public interest than the protection of **constitutional liberties** and the **restraint of government abuse of power**. This case presents a textbook example of rights violations under color of law. It involves:

- Unlawful government conduct without jurisdiction or verified authority;
- Color-of-law retaliation for lawful filings;
- Failure by judicial officers to uphold neutral adjudication.

The public's confidence in the rule of law depends on federal courts **intervening** when State actors exceed lawful authority. Granting injunctive relief here affirms the Court's constitutional role as a guardian of individual rights and sends a clear message that no agency or officer is above the law.

Thus, the public interest decisively supports immediate judicial intervention.

VII. JUDICIAL NOTICE OF PREJUDICIAL MISCONDUCT

Pursuant to **Federal Rule of Evidence 201**, Plaintiff respectfully places this Court on **Formal Judicial Notice** of the following facts and prejudicial misconduct, each of which materially undermines the integrity of these proceedings:

• The term "sovereign citizen" is nowhere in the record. The Court's use of this slanderous label is entirely unsupported, defamatory, and recklessly inserted without basis. Plaintiff has never identified with nor relied upon such ideology. This mischaracterization creates an appearance of bias and constitutes judicial defamation on the record.

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- The reliance on *United States v. Benabe*, 654 F.3d 753 (7th Cir. 2011), is grossly inappropriate. That case involved criminal defendants invoking incoherent pseudo-legal arguments—not civil litigants asserting well-founded constitutional claims under 42 U.S.C. §§ 1983, 1985, 1986, supported by verified affidavits and procedural compliance. The Court's conflation of these distinct categories is both legally erroneous and factually offensive.
- The Court's dismissal appears presumption-driven rather than fact-based, as
 it failed to engage with the merits of Plaintiff's verified pleadings, affidavits,
 or unrebutted statutory claims. This amounts to a denial of meaningful
 judicial review and reflects a dangerous pattern of rubber-stamping
 administrative narratives over constitutional pleadings.
- Such conduct violates Canon 2 and Canon 3 of the Code of Conduct for
 United States Judges, which require that judges "uphold the integrity and
 independence of the judiciary" and "perform the duties of office fairly,
 impartially, and diligently." By substituting bias for law, the Court has
 compromised its impartiality and engaged in conduct that would justify
 referral to the Judicial Council of the Ninth Circuit.
- This misuse of rhetoric has prejudiced Plaintiff's rights, tainted the public record, and chilled protected constitutional expression. It invites systemic abuse against lawful claimants seeking remedy outside the confines of statesponsored legal fiction and constitutes a structural violation of due process under the Fifth Amendment.

Accordingly, this Court is now **on notice** of the consequences of permitting bias, mislabeling, and judicial slander to go uncorrected. Let the record reflect truth, or let it be corrected under lawful protest.

1	VIII. Rebuttal to Misuse of United States v. Benabe, 654 F.3d 753,
2	767 (7th Cir. 2011)
3	To the extent the Court has relied upon the quotation from <i>United States v. Benabe</i> ,
4	654 F.3d 753, 767 (7th Cir. 2011) — stating that:
5	"Regardless of an individual's claimed status of descent, be it as a 'sovereign citizen,' a
6	'secured-party creditor,' or a 'flesh-and-blood human being,' that person is not beyond
7	the jurisdiction of the courts. These theories should be rejected summarily, however they
8	are presented."
9	— such reliance is factually erroneous, procedurally improper, and prejudicial
10	in application.
11	First, Benabe involved criminal defendants invoking incoherent pseudo-legal
12	defenses in an attempt to evade federal jurisdiction. The case did not involve
13	verified affidavits, properly filed civil pleadings under 42 U.S.C. §§ 1983, 1985, or
14	1986, nor commercial filings grounded in UCC provisions and equity law.
15	Second , the language in <i>Benabe</i> has been widely misused as a judicial tool to
16	dismiss inconvenient claims by attaching a pejorative label ("sovereign citizen")
17	without engaging the merits. Plaintiff in the instant matter has never identified
18	with such ideology and expressly disclaims any association with fictitious or
19	pseudo-legal theories. The Complaint is grounded in enforceable federal statutes,
20	constitutional violations, and unrebutted affidavits of fact.
21	Third, the Court's invocation of Benabe serves to shift the burden away from
22	substantive adjudication, replacing due process with stereotype and presumption
23	- a direct violation of the Fifth Amendment guarantee of impartial judicial review
24	and a breach of Canon 3 of the Code of Conduct for United States Judges, which
25	mandates that a judge must "perform the duties of the office fairly, impartially and
26	diligently."
27	Accordingly, Plaintiff demands that any reference to Benabe be stricken from the
28	record as irrelevant, defamatory, and prejudicial, and that this Court issue a

corrective clarification to preserve the integrity of the record and Plaintiff's right to due process

IX. JUDICIAL NOTICE OF IGNORANCE OR WILLFUL DISREGARD OF PRIVATE LAW DISTINCTIONS

Plaintiff hereby places this Court on further Judicial Notice, pursuant to Federal Rule of Evidence 201, of the Court's failure to distinguish between private law and public commercial law, a critical legal bifurcation that governs this case in both equity and contract.

Specifically:

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- 1. The Court erroneously assumes compulsory motor vehicle registration, failing to distinguish between private conveyances owned by a trust in non-commercial capacity, and vehicles engaged in regulated commerce subject to registration under California Vehicle Code and Title 49 of the U.S. Code.
- 2. The Verified Complaint and associated affidavits explicitly assert that the automobile in question is private trust property not used for hire, transport, or commercial activity. The Court made no effort to examine the legal status of the vehicle under UCC Article 9, the California Commercial Code, or the private law doctrine of trust res.
- 3. Under California Vehicle Code § 260, a **private vehicle** used exclusively for **non-commercial** purposes, such as personal use by the owner, is **not** a "commercial vehicle" and is **not** subject to mandatory registration. See also **18 U.S.C. § 31**, which limits the definition of "**motor vehicle**" to those used for "**commercial**" **purposes** in the transportation of property or passengers.
- **4.** The Court has ignored controlling federal and state precedent, including but not limited to:
 - 1. Stephenson v. Binford, 287 U.S. 251 (1932)

In this case, the Supreme Court upheld Texas regulations requiring private carriers operating for hire over public highways to obtain a certificate of

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public convenience and necessity. The Court recognized the state's authority to regulate commercial use of highways to prevent undue burdens. The Court stated:

"The Railroad Commission and the highway commission are directed to cooperate in respect of the condition of the public highways and their ability to carry existing and proposed additional traffic."

2. Frost & Frost Trucking Co. v. Railroad Commission, 271 U.S. 583 (1926)
The Supreme Court held that a state cannot compel a private carrier to become a common carrier as a condition for using public highways. The Court emphasized:

"Assuming that the use of its highways by private carriers for hire is a privilege which the State may deny, it cannot constitutionally affix to that privilege the unconstitutional condition precedent that the carrier shall assume against his will the burdens and duties of a common carrier."

3. National Shawmut Bank of Boston v. Jones, 108 N.H. 386, 236 A.2d 484 (1967)

This case addressed the classification of goods under the Uniform Commercial Code (UCC). The New Hampshire Supreme Court discussed the distinction between consumer goods and equipment, noting:

"The classification of goods under UCC 9-109 is a question of fact."

This implies that a vehicle not used for commercial activity may[must] be considered consumer goods, not subject to commercial regulations.

4. Thompson v. Smith, 154 S.E. 579 (Va. 1930); Teche Lines v. Danforth, 12 So.2d 784 (Miss. 1943)

These cases jointly affirm the inherent nature of the right to travel using customary means of transportation:

"The right of the Citizen to travel upon the public highways and to transport his property thereon, in the ordinary course of life and business, is a common right Page 15 of 29

 which he has under the right to enjoy life and liberty, to acquire and possess property, and to pursue happiness and safety. It includes the right, in so doing, to use the ordinary and usual conveyances of the day, and under the existing modes of travel, includes the right to drive a horse drawn carriage or wagon thereon or to operate an automobile thereon, for the usual and ordinary purpose of life and business."

In this case, the Illinois Supreme Court held that the city could not prohibit the operation of motor buses on its streets when the company was already licensed by the state. The court emphasized the distinction between state and municipal authority over public highways. The case underscores the principle that the use of public highways for travel is a right that cannot be

5. Chicago Coach Co. v. City of Chicago, 337 III. 200, 169 N.E. 22 (1929)

authority to regulate for public safety from any legislative power to revoke the right to travel:

arbitrarily restricted by local ordinances. This case further distinguishes the

"No State government entity has the power to allow or deny passage on the highways, byways, nor waterways... transporting his vehicles and personal property for either recreation or business, but by being subject only to local regulation i.e., safety, caution, traffic lights, speed limits, etc. **Travel** is **not** a privilege requiring, licensing, vehicle registration, or forced insurances." "Even the legislature has no power to deny to a citizen the right to travel upon the highway and transport his/her property in the ordinary course of his business or pleasure."

6. Kent v. Dulles, 357 U.S. 116 (1958)

The Supreme Court recognized the right to travel as an inherent liberty protected by the Fifth Amendment, stating:

"The right to travel is a part of the 'liberty' of which the citizen cannot be deprived without due process of law under the Fifth Amendment."

7. Buck v. Kuykendall, 267 U.S. 307 (1925)

This case clearly distinguishes between the right to travel for private purposes and the privilege of conducting commerce on the highways:

"...It is now universally recognized that the state does possess such power [to impose such burdens and limitations upon private carriers when using the public highways for the transaction of their business] with respect to common carriers using the public highways for the transaction of their business in the transportation of persons or property for hire. That rule is stated as follows by the Supreme Court of the United States: 'A citizen may have, under the Fourteenth Amendment, the right to travel and transport his property upon them (the public highways) by auto vehicle, but he has no right to make the highways his place of business by using them as a common carrier for hire. Such use is a privilege which may be granted or withheld by the state in its discretion, without violating either the due process clause or the equal protection clause.'"

8. State v. City of Spokane, 186 P. 864

This decision articulates the foundational distinction between travel for personal purposes and commercial exploitation of the public ways:

"The right of a citizen to travel upon the highway and transport his property thereon in the ordinary course of life and business differs radically and obviously from that of one who makes the highway his place of business and uses it for private gain, in the running of a stagecoach or omnibus. The former is the usual and ordinary right of a citizen, a right common to all; while the latter is special, unusual and extraordinary. As to the former, the extent of legislative power is that of regulation; but as to the latter its power is broader; the right may be wholly denied, or it may be permitted to some and denied to others, because of its extraordinary nature. This distinction, elementary and fundamental in character, is recognized by all the authorities."

9. Miranda v. Arizona, 384 U.S. 436 (1966)

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This landmark case not only established procedural safeguards for due process but also reaffirmed the supremacy of constitutional rights over statutory or administrative rulemaking:

"Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them."

These cases collectively affirm that while the state may regulate commercial activities on public highways, it cannot infringe upon the fundamental right of individuals to travel and transport their property for personal, non-commercial purposes.

These cases affirm that:

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- The <u>right to travel</u> is a fundamental, constitutionally secured right;
- Travel by automobile for private, non-commercial purposes cannot be taxed,
 licensed, or compelled into registration absent voluntary commercial nexus;
- The state's authority to regulate commerce does not extend to private individuals operating private trust property for personal use.
- This omission reflects either a profound misunderstanding of private law, secured transactions, and trust-based exemptions, or a willful refusal to acknowledge the jurisdictional limits of the State and federal government over non-commercial private property.

Thus, Plaintiff demands judicial correction and acknowledgment that:

- Private property held in trust is not presumed to be under statutory obligation or jurisdiction;
- **Registration is a voluntary contractual adhesion**, and cannot be compelled without evidence of commercial nexus;
- And failure to engage these claims on their merits while issuing judicial slurs constitutes either gross legal incompetence or malicious intent to deprive remedy

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VI. CLARIFICATION AND AFFIRMATION OF NOTICE <u>UNDER RULE 65</u>

Plaintiff hereby objects to and rebuts the Court's finding that notice was deficient under Federal Rule of Civil Procedure 65(b) and Local Rule 7-19.1. The record demonstrates that all named defendants were lawfully and sufficiently noticed through valid legal process, and that procedural and constitutional standards for notice were fully met.

A. Registered Mail with Return Receipt Constitutes Legal Notice

Plaintiff served all named parties via Registered Mail with Form 3811 (green card)

as proof of delivery and receipt. Under federal and California law, **Registered Mail** constitutes proper and legally recognized notice. See *Mahon v. Credit Bureau of*

Placer County, 171 F.3d 1197 (9th Cir. 1999). Rule 65(b)(1)(B) permits ex parte relief when written certification shows efforts made to give notice and when notice is

"reasonably certain" to inform the opposing party.

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The service documents, attached as **Exhibits I–L**, show that delivery was made, and receipt was confirmed. These records satisfy both **procedural due process** and the requirements of Rule 65(b).

B. Emergency and Irreparable Harm Justify Immediate Relief

The Verified Motion outlined **ongoing and irreparable constitutional violations** — including repeated unlawful detentions, retaliatory actions, and threats to liberty

and property. The Supreme Court has held that ongoing constitutional violations constitute **per se irreparable harm**. See *Elrod v. Burns*, **427** U.S. 347 (1976). As such,

Plaintiff met the standard for emergency injunctive relief.

C. Notices Were Self-Executing and Commercially Perfected

24 The filings in this matter include Verified Affidavits, Conditional Acceptances,

25 and Self-Executing Notices of Fault and Dishonor, consistent with commercial

26 administrative procedure. These documents were unrebutted, and therefore

deemed accepted under principles of equity and the doctrine of tacit procuration.

The Court failed to recognize the legal effect of these unrebutted filings.

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Under Federal Rule of Evidence 902(1)-(4), documents served via registered mail with signed receipts and sworn verification are self-authenticating, and constructively 2 3 **establish notice** for purposes of due process and Rule 65. D. The Mailbox Rule Applies 4 It is a settled rule that service by mail is deemed complete upon mailing, not upon 5 docket acknowledgment or recipient response. See Schikore v. BankAmerica 6 7 Supplemental Retirement Plan, 269 F.3d 956 (9th Cir. 2001). The fact that mailing occurred the same day the motion was filed does not invalidate notice, particularly 8 where defendants received the documents. **CONCLUSION** 10 Plaintiff satisfied the requirements of Rule 65(b) through lawful, verified, and 11 provable service. The Court's conclusion that notice was insufficient is **clearly** erroneous and incompatible with the attached proof. All Defendants were placed 13 on notice. The failure of opposing parties to respond or rebut the filings does not 14 negate their legal effect. 15 Accordingly, Plaintiff demands that the Court correct its findings, acknowledge the 17 sufficiency of notice, and grant the injunctive relief requested or set the matter for hearing under Rule 65(a). 18 VII. NOTICE OF POSSIBLE JUDICIAL DISQUALIFICATION 19 Should this Honorable Court decline to vacate the improper denial of equitable 20 relief, strike the defamatory and prejudicial labeling of Plaintiff as a "sovereign 21 citizen," and correct the resulting constitutional violations and jurisdictional errors 22 23 on the record, Plaintiff places this Court on formal notice that continued adjudication under such manifest bias and presumption would give rise to a valid 24 25 basis for mandatory judicial recusal or disqualification under 28 U.S.C. § 455(a) 26 and (b)(1), and the Due Process Clause of the Fifth Amendment.

false affiliations unsupported by fact, or exhibits signs of prejudgment or animus,

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Any judicial officer who knowingly misrepresents a party's standing, imputes

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forfeits the appearance of impartiality required by law. If the Court will not correct these clear and present constitutional violations, Plaintiff will have no choice but to move for immediate recusal and file a formal complaint of judicial misconduct, including with the Ninth Circuit Judicial Council and other lawful bodies of review.

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VIII. RELIEF DEMANDED

- Plaintiff, expressly reserving all unalienable rights and without waiving standing, status, jurisdictional objection, or any lawful capacity, hereby demands the following equitable and lawful relief from this Honorable Court in furtherance of justice, due process, and constitutional remedy:
- That the Court VACATE and SET ASIDE its prior denial of injunctive relief
 entered by Minute Order dated June 17, 2025 [Dkt. 13], as said denial was
 issued without proper consideration of the verified record, unrebutted
 affidavits, controlling facts, and applicable legal standards, constituting manifest
 error and a denial of due process;
- 2. That the Court VACATE the prior denial of Plaintiff's Emergency Motion for Preliminary Injunction and adjudicate the matter under the proper legal standard set forth in *Winter v. Natural Resources Defense Council*, 555 U.S. 7 (2008), based on:
 - ongoing irreparable harm,
 - · continuing constitutional violations under color of law,
 - Plaintiff's unrebutted evidence of perfected legal and equitable title,
 - and verified commercial dishonor and default by the named Defendants.
- 3. That the Court STRIKE AND SANCTION any reference—whether express or implied—to the term "sovereign citizen", as such label is factually unsupported, legally baseless, prejudicial, and constitutes a derogatory slander against the Plaintiff's character and lawful status. The use of such weaponized

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June 18, 2025 language violates canon of judicial neutrality, Fed. R. Evid. 403, and Plaintiff's 1 2 **Fifth and Fourteenth Amendment rights** to impartial adjudication; 3 4. That the Court schedule a full hearing pursuant to Rule 65(a), Federal Rules of 4 Civil Procedure, to allow Plaintiff to present sworn testimony, exhibits, supplemental affidavits, and additional verified proof of the irreparable harm, 5 6 retaliatory actions, and imminent threats that justify immediate equitable relief; 5. That the Court adjudicate - on the merits and without administrative dismissal 7 or mischaracterization - Plaintiff's constitutional and statutory claims under 42 8 U.S.C. §§ 1983, 1985(3), and 1986, arising from documented: 9 acts of retaliation for exercising the right to travel and to petition for 10 redress, 11 conspiracies to interfere with civil rights, 12 13 and failure to prevent ongoing constitutional deprivations under 0 14 color of law by named agents and co-defendants; 6. That the Court formally acknowledge Plaintiff's status as a private American 15 16 national, proceeding sui juris, not pro se, not a 14th Amendment corporate "U.S. citizen", and not appearing as surety for any ens legis fiction, vessel, or 17 18

- transmitting utility. All contracts by presumption are rebutted, and standing is asserted under equity, trust law, the Constitution, and perfected commercial record.
- Should the Court decline to grant the full relief demanded herein, Plaintiff places this Court on NOTICE of intent to:
 - Seek immediate appellate review,

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- File formal complaints for judicial misconduct,
- And pursue all lawful, equitable, and commercial remedies necessary to preserve due process, defend vested rights, and correct the public record.
- This Court now stands at the fulcrum of due process or deprivation. The choice will be preserved in the record.

IX. RESERVATION OF RIGHTS

Plaintiff expressly reserves all rights, liberties, and remedies under UCC § 1-308, the Constitution for the United States of America (1787), the California Constitution, the common law, and equity, without prejudice, without waiver, and without granting jurisdiction by implication, presumption, or adhesion.

This includes, but is not limited to:

- The right to challenge jurisdiction at any time;
- The right to initiate formal complaints for judicial misconduct pursuant to 28 U.S.C. §§ 351–364, including against any officer of this Court who engages in bias, slander of title, character defamation, suppression of record, concealment of affidavits, or mislabeling of Plaintiff's status;
- The right to seek equitable, commercial, and international remedy, in any
 appropriate forum, for redress of violations committed under color of law or
 in breach of fiduciary, judicial, or public duty;
- The right to demand a full and impartial adjudication by a competent tribunal, operating under Article III jurisdiction, not under presumption of statute or commercial adhesion.

No action, inaction, appearance, or pleading herein shall be construed as consent to statutory jurisdiction, waiver of rights, or submission to any unlawful forum or presumption.

All rights reserved. Nunc pro tunc. Ab initio.

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VERIFICATION:

Pursuant to 28 U.S.C. § 1746

BY AUTHORIZED REPRESENTATIVE WITH FIRSTHAND KNOWLEDGE

I, <u>Kevin Realworldfare</u>, over the age of 18, competent to testify, and having firsthand knowledge of the facts stated herein, do hereby declare, certify, verify, affirm, and state under penalty of perjury under the laws of the United States of America, that the foregoing statements are true, correct, and complete, to the best of my understanding, knowledge, and belief, and made in good faith.

Executed, signed, and sealed this <u>18th</u> day of <u>June</u> in the year of Our Lord two thousand and twenty five, *without* the United States, with all rights reserved and without recourse and without prejudice.

All rights reserved without prejudice or recourse, UCC § 1-308, 3-402.

By: Kevin: Realworldfare, Secured Pa

Kevin: Realworldfare, Secured Party, Fiduciary, Authorized Representative, Executor

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LIST OF EXHIBITS / EVIDENCE: 1 1. Exhibit A: Affidavit: Power of Attorney In Fact' 2.Exhibit B: Hold Harmless Agreement 3 4 3. Exhibit C: Private UCC Contract Trust/UCC1 filing #2024385925-4. 4. Exhibit D: Private UCC Contract Trust/UCC3 filing ##2024402990-2. 5. E Exhibit E: Contract Security Agreement #RF775820621US, titled: NOTICE OF 6 7 CONDITIONAL ACCEPTANCE, and FRAUD, RACKETEERING, 8 CONSPIRACY, DEPRIVATION OF RIGHTS UNDER THE COLOR OF LAW, 9 IDENTITY THEFT, EXTORTION, COERCION, TREASON. 6. Exhibit F: Contract Security Agreement #RF775821088US, titled: NOTICE OF DEFAULT, and FRAUD, RACKETEERING, CONSPIRACY, DEPRIVATION OF 11 RIGHTS UNDER THE COLOR OF LAW, IDENTITY THEFT, EXTORTION, 12 13 COERCION, TREASON 7. Exhibit G: Contract Security Agreement #RF775822582US, titled: NOTICE OF DEFAULT AND OPPORTUNITY TO CURE AND NOTICE OF FRAUD, 15 RACKETEERING, CONSPIRACY, DEPRIVATION OF RIGHTS UNDER THE 16 COLOR OF LAW, IDENTITY THEFT, EXTORTION, COERCION, 17 KIDNAPPING. 18 8. Exhibit H: Contract Security Agreement #RF775823645US, titled: Affidavit Certificate of Dishonor, Non-response, DEFAULT, JUDGEMENT, and LIEN 20 AUTHORIZATION. 21 9. Exhibit I: Form 3811 corresponding to Exhibit E. 10. Exhibit J: Form 3811 corresponding to Exhibit F. 11. Exhibit K: Form 3811 corresponding to Exhibit G. 12. Exhibit L: Form 3811 corresponding to Exhibit H. 13. Exhibit M: INVOICE/TRUE BILL #RIVSHERTREAS12312024 26 14. Exhibit N: Copy of 'MASTER DISCHARGE AND INDEMNITY BOND'

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#RF661448567US.

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PROOF OF SERVICE 1 STATE OF CALIFORNIA 3 SS. COUNTY OF RIVERSIDE 4 5 I competent, over the age of eighteen years, and not a party to the within action. My mailing address is the Walkernova Group, care of: 30650 Rancho 6 California Road suite 406-251, Temecula, California [92591]. On or about June 20, **2025**, I served the within documents: 8 9 **VERIFIED** RENEWED VERIFIED MOTION AND DEMAND TO VACATE PRIOR DENIAL OF INJUNCTIVE RELIEF UNDER FEDERAL RULE OF CIVIL 10 11 PROCEDURE 60(B)(1) AND (B)(6), WITH NOTICE OF RETALIATION, CONSTITUTIONAL VIOLATIONS, AND MANIFEST INJUSTICE 12 13 By United States Mail. I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses listed below by placing the envelope for 14 15 collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and 17 mailing, it is deposited in the ordinary course of business with the United States 18 19 Postal Service, in a sealed envelope with postage fully prepared. I am a resident or 20 employed in the county where the mailing occurred. The envelope or package was placed in the mail in Riverside County, California, and sent via Registered Mail 21 with a form 3811. 22 Gregory D Eastwood, Robert C V Bowman, George Reyes, William Pratt, 23 Robert Gell, Joseph Sinz, Nicholas Gruwell, C/o RIVERŚĬDE SHERIFF 24 30755-D Auld Road, Suite L-067 Murrieta, California [92563] 25 Certified Mail #9589 0710 5270 1127 8437 37 26 Steven-Arthur: Sherman (Defendant and Counsel for RSO and 27 o STEVEN ARTHUR SHERMAN 28 1631 East 18th Street

Case	#:1370
	June 18, 2025
1	Santa Ana, California [92705-7101] Certified Mail #9589 0710 5270 1127 8437 37
2	Chad: Bianco
3	C/o RIVERSIDE COUNTY SHERIFF 4095 Lemon Street, 2nd Floor
4	Riverside, California [92501] Certified Mail #9589 0710 5270 1127 8437 37
5	Miranda Thomson, Michael Hestrin C/o RIVERSIDE COUNTY DISTRICT ATTORNEY, THE PEOPLE OF
6	THE STATE OF CALIFORNIA 3960 Orange Street
7	Riverside, California [92501] Certified Mail #7022 2410 0001 7119 3684
8	By Electronic Service. Based on a contract, and/or court order, and/or an
9	agreement of the parties to accept service by electronic transmission, I caused the
10	documents to be sent to the persons at the electronic notification addresses listed
11	below.
12	Steven-Arthur: Sherman (Defendant and Counsel for RSO and
13	Deputies) C/o STEVEN ARTHUR SHERMAN
14	ssherman@law4cops.com csherman@law4cops.com
15	
16	Chad: Bianco, Gregory D Eastwood, Robert C V Bowman, George Reyes, William Pratt, Robert Gell, Joseph Sinz, Nicholas Gruwell,
17	c/o RIVERSIDE COUNTY SHERIFF rsoscscentral@riversidesheriff.org
18	jsinz@riversidesheriff.org wpratt@riversidesheriff.org
19	Miranda Thomson, Michael Hestrin
20	C/o RIVERSIDE COUNTY DISTRICT ATTORNEY, THE PEOPLE OF THE STATE OF CALIFORNIA
21	DAOffice@rivco.org
22	I declare under penalty of perjury under the laws of the State of California
23	that the above is true and correct. Executed on June 18, 2025 in Riverside County,
24	California.
25	Corey Walker
26	
27	<i> </i>
28	Page 28 of 29
	SENEWED INCIDENTAND ESMAND TO VACATE PPICE DEMAL OF DRUNCTIVE RELEES BURGE PEOREAL RULE OF CIVIL PROCEDURE 60(04)), WITH NOTICE OF RETALIATERI CONSTITUTIONAL VIL CATIONS, AND MANEFEST INCIDENCE.

Case 5:25-cv-00646-WLH-MAA Document 46 Filed 06/20/25 Page 29 of 29 Page ID June 18, 2025 1 NOTICE. Using a notary on this document does not constitute joinder adhesion, or consent to 2 any foreign jurisdiction, nor does it alter my status in any manner. The purpose for 3 notary is verification and identification only and not for entrance into any foreign jurisdiction. 5 6 7 **ACKNOWLEDGEMENT:** 8 State of California A notary public or other officer completing this certificate verifies only the identity of the individual who signed the 10 document to which this certificate is attached, and not the) ss. truthfulness, accuracy, or validity of that document County of Riverside 11 On this 18th day of June, 2025, before me, Joyti Patel, a Notary Public, personally 12 appeared Kevin: Realworldfare, who proved to me on the basis of satisfactory 13 evidence to be the person(s) whose name(s) is/are subscribed to the within 14 instrument and acknowledged to me that he/she/they executed the same in his/ 15 her/their authorized capacity(ies), and that by his/her/their signature(s) on the 16 instrument the person(s), or the entity upon behalf of which the person(s) acted, 17 executed the instrument. 18 I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. 20 WITNESS my hand and official seal. 21 JOYTI PATEL lotary Public - California 22 Riverside County Commission # 2407742 Comm. Expires Jul 8, 2026 23 24 25 26 27 28 Page 29 of 29 PAMENTAL AND CONTROL OF SECULDAD AS A SECUENCIAL OF SECULDAD AS A SECUENCIA AS A SECULDAD AS A SECUENCIA AS A SECULDAD AS A SECULDAD AS A SECULDAD AS A SECULDAD AS A SECUENCIA AS A SECULDAD AS A SECUENCIA AS A SECUENCIA AS A SECULDAD AS A SECUENCIA AS A